

IN THE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS INDIANA

PLANNED PARENTHOOD OF INDIANA, )  
INC., *et al.*, )  
Plaintiffs, )  
v. )  
COMMISSIONER OF THE INDIANA STATE )  
DEPARTMENT OF HEALTH, *et al.*, )  
Defendants. )

No. **1 : 11 -cv- 0630 TWP -TAB**

**TEMPORARY RESTRAINING ORDER AND ORDER SETTING BRIEFING  
SCHEDULE AND HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

The plaintiffs having filed their Motion for Temporary Restraining Order and for Preliminary Injunction, and the Court having read and reviewed the same and being duly advised, the Court now finds that the plaintiffs Motion for Temporary Restraining Order should be GRANTED and that the plaintiffs' Motion for Preliminary Injunction should be set for briefing schedule and hearing.

**IT IS THEREFORE ORDERED** that a Temporary Restraining Order hereby issues in this cause as follows:

All defendants are hereby temporarily enjoined from enforcing, in any way, Indiana Code § 5-22-17-5.5(b)-(d), as added by House Enrolled Act 1210 ("HEA 1210").

The Court finds that, absent this order, the plaintiffs will suffer irreparable injury insofar as plaintiff Planned Parenthood of Indiana, Inc. ("PPIN"), has currently scheduled appointments with hundreds of such patients in the foreseeable future, but will be unable to provide necessary care to these patients due only to the enactment of HEA 1210. Additionally, if the defunding provisions of HEA 1210 are allowed to take effect, PPIN will be forced to close eight (8) health

centers and to lay off more than thirty-six (36) full-time employees. During 2010, more than fifteen thousand (15,000) patients were serviced at these health centers, and PPIN provided services to more than nine thousand three hundred (9,300) Medicaid enrollees. This injury is clearly "immediate and irreparable." FED. R. CIV. P. 65(b)(1)(A).

**IT IS FURTHER ORDERED** that the above-described Temporary Restraining Order shall expire fourteen (14) days from this date, unless renewed, and is issued without bond.

**IT IS FURTHER ORDERED** that the plaintiffs' Motion for Preliminary Injunction is hereby set for the following briefing schedule:

- Defendants' response brief to be filed on or before \_\_\_\_\_.
- Plaintiffs' reply brief, if any, to be filed on or before \_\_\_\_\_.

**IT IS FURTHER ORDERED** that the plaintiffs' Motion for Preliminary Injunction is hereby set for hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_.m. in Room \_\_\_\_\_ of the United States Courthouse in Indianapolis, Indiana.

**SO ORDERED** on the \_\_\_\_\_ day of May, 2011, at \_\_\_\_\_.M.

Judge, United States District Court

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